

REMARKS

Applicant respectfully requests reconsideration. Claims 2-4, 6, 10-13 and 25-43 were previously pending in this application. By this amendment, claims 2-4, 6, 10-13, 25 and 39-43 have been canceled and no claims have been amended or added. Applicant reserves the right to file one or more continuation applications directed to the canceled claims. As a result, claims 26-38 are pending for examination with claim 26 being the sole independent claim. No new matter has been added.

Allowable Subject Matter

Applicant gratefully acknowledges the Examiner's finding that claims 26-38 are allowed.

Withdrawn Claims

In the Final Office Action dated November 13, 2008, newly submitted claims 39-43 were withdrawn from consideration as allegedly being directed to an invention that is independent or distinct from the invention originally claimed.

Without acceding to the propriety of the Examiner's positions, Applicant has canceled claims 39-43 to expedite prosecution and place this application in condition for allowance.

Claim Rejections Under 35 U.S.C. §102/103

In the Final Office Action dated November 13, 2008, claim 25 was rejected under 35 U.S.C. §102(b) as being anticipated by Uber (U.S. Patent No. 5,843,037) and claims 2-4, 6 and 10-13 were rejected under 35 U.S.C. §103(a) as being unpatentable in view of Uber in view of Lichtenstein (U.S. Patent No. 4,464,172).

Without acceding to the propriety of the Examiner's positions, Applicant has canceled claims 2-4, 6, 10-13 and 25 to expedite prosecution and place this application in condition for allowance.

Accordingly, withdrawal of these rejections is respectfully requested.

CONCLUSION

If the Examiner believes, after this Response, that the application is not in condition for allowance, the Examiner is requested to call the Applicant's attorney at the telephone number listed below. If this response is not considered timely filed and if a request for an extension of time is otherwise absent, Applicant hereby requests any necessary extension of time.

If a fee is due, please charge our Deposit Account No. 23/2825 under Docket No. B0884.70074US01 from which the undersigned is authorized to draw.

Dated: February 17, 2009

Respectfully submitted,

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